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# NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

12/12/2003

Catherine Anne Whealy Proprietary Rights International 1513 Melody Lane Roanoke, TX 76262

EXAMINER					
MCCORM	ICK, SUSAN B				
ART UNIT	PAPER NUMBER				

1661 DATE MAILED: 12/12/2003

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,105	07/21/2003	Richard G. Ware		1358

TITLE OF INVENTION: COPROSMA PLANT NAMED 'FIRE BURST'

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$640	\$0	\$640	03/12/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

### PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where

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Catherine Anne Wheely Proprietary Rights International 1513 Melody Lane Roanoke, TX 76262  APPLICATION NO. PILING DATE  APPLICATION	CURRENT CORRESPONDENC	E ADDRESS (Note: Legibly mark-u)	p with any corrections or	use Block 1)		Fee(c) Transmittal T	nis certificate cannot be used	for any other accompanying
APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10624-105 O7721/2003 Richard G. Ware 1358  TITLE OF INVENTION: COPROSMA PLANT NAMED FIRE BURST  APPLY. TYPE SNALL ENTITY ISSUE FEE PUBLICATION FEE TOTAL FEE(S) DUE DATE DUE nonproviational NO S640 S0 S640 03/12/2004  EXAMINER ART UNIT CLASS-SUBCLASS  MCCORMICK, SUSAN B G661  L. Change of correspondence address or indication of "Fee Address" (37 CFR 1.56).  J. Change of correspondence address or indication of "Fee Address" (37 CFR 1.56).  J. Change of correspondence address or indication from PTOSBH 23 banched.  J. Change of correspondence address or indication from PTOSBH 23 banched.  J. Change of correspondence address or indication from PTOSBH 23 banched.  J. Change of correspondence address or indication from PTOSBH 23 banched.  J. Change of correspondence address or indication from PTOSBH 23 banched.  J. Change of correspondence address or indication from PTOSBH 23 banched.  J. Change of correspondence address or indication from PTOSBH 23 banched.  J. Change of correspondence address or indication from PTOSBH 23 banched.  J. Change of correspondence address or indication from PTOSBH 23 banched.  J. Change of correspondence address or indication from PTOSBH 23 banched.  J. Change of correspondence address or indication from PTOSBH 23 banched.  J. Change of correspondence address or indication from PTOSBH 23 banched.  J. Change of correspondence address or indication from PTOSBH 23 banched.  J. R. Change and the sames of up to 3 registered atterney or 2 agents. If no name is listed, no name is listed, no name in listed, no name is listed, no name is listed, no name is listed, no name is li	Catherine Anne V Proprietary Rights 1513 Melody Lane	Whealy International				Ce	rtificate of Mailing or Trans	emission
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□ Issue Fee □ A check in the amount of the fee(s) is enclosed. □ Publication Fee □ Payment by credit card. Form PTO-2038 is attached. □ Advance Order - # of Copies □ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number □ (enclose an extra copy of this form).  Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.  [Authorized Signature] (Date)  NOTE; The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.  This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Pepartment of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.  Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.	Address form PTO/SB/I:  "Fee Address" indicate PTO/SB/47; Rev 03-02 Number is required.  3. ASSIGNEE NAME AND PLEASE NOTE: Unless been previously submitte (A) NAME OF ASSIGN	22) attached.  Ion (or "Fee Address" Indica or more recent) attached. Us  D. RESIDENCE DATA TO E an assignee is identified be did to the USPTO or is being EE	tion form e of a Customer  BE PRINTED ON T low, no assignee desubmitted under sep  (B	agents Of firm (having agent) and attorneys will be prior the PATEN: ata will appearate cover.) RESIDENCE	R, alterning as a d the na or agent inted.  T (print c ar on the Complet CE: (CIT	atively, (2) the name member a registered mes of up to 2 regis s. If no name is liste or type)  patent. Inclusion of a ion of this form is NO Y and STATE OR CO	of a single attorney or 2 tered patent d, no name 3 ssignee data is only appropri T a substitute for filing an assuuntry)	ate when an assignment has ignment.
□ Publication Fee □ Advance Order - # of Copies □ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number	4a. The following fee(s) are	enclosed:	4b	•	` '			
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Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.  (Authorized Signature)  (Date)  NOTE; The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.  This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450. DO NOT SEND FRES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.	_	Copies		☐ The Dire	ctor is h	ereby authorized by o	harge the required fee(s), or	credit any overpayment, to
NOTE; The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.  This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.  Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.	Director for Patents is reque	sted to apply the Issue Fee a	nd Publication Fee					
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,105	07/21/2003	Richard G. Ware		1358
	590 12/12/2003		EXAM	INER
Catherine Anne V Proprietary Rights			MCCORMICI	K, SUSAN B
1513 Melody Lane			ART UNIT	PAPER NUMBER
Roanoke, TX 7626	2		1661	
			DATE MAILED: 12/12/2003	3

# Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



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Proprietary Rights 1513 Melody Land			ART UNIT	PAPER NUMBER	
Roanoke, TX 7626			1661		
			DATE MAILED: 12/12/2003		

## Notice of Fee Increase on October 1, 2003

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2003, then the amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" since there will be an increase in fees effective on October 1, 2003. See Revision of Patent Fees for Fiscal Year 2004; Final Rule, 68 Fed. Reg. 41532, 41533, 41534 (July 14, 2003).

The current fee schedule is accessible from (http://www.uspto.gov/main/howtofees.htm).

If the fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due" but not the correct amount in view of the fee increase, a "Notice of Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice of Pay Balance of Issue Fee," if the response to the Notice of Allowance is to be filed on or after October 1, 2003 (or mailed with a certificate of mailing on or after October 1, 2003), the issue fee paid should be the fee that is required at the time the fee is paid. If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously-paid issue fee should be paid. See Manual of Patent Examining Procedure, Section 1308.01 (Eighth Edition, August 2001).

Effective October 1, 2003, 37 CFR 1.18 is amended by revising paragraphs (a) through (c) to read as set forth below.

Section 1.18 Patent post allowance (including issue) fees.

(a) Issue fee for issuing each original or reissue patent, except a design or plant patent:

(b) Issue fee for issuing a design patent:

By a small entity (Sec. 1.27(a))......\$240.00

By other than a small entity......\$480.00

(c) Issue fee for issuing a plant patent:

By a small entity (Sec. 1.27(a))......\$320.00

By other than a small entity......\$640.00

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.